IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4553 OF 2004

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Bajrang Narayan Pawar ...Applicant

v/s.

The State of Maharashtra ...Respondent

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Mr.P.M.Mengane for the Applicant.

Mr.D.R.More, APP for the State.

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CORAM: A.M.KHANWILKAR, J.

DATED: 29TH OCTOBER,2004

P.C.:

1. Heard counsel for the parties. Perused the record. The only role ascribed to the present Applicant/Accused No.5 is that he was seen in the

company of the other accused, when accused No.1 was telling other accused that they should liquidate either Khandu Banne or Shekhar Banne. Besides this allegation, there is no material against the present Applicant. Merely, because the Applicant was seen in the company of the said group does not take the matter any further, so far as the present Applicant is concerned. Besides, the investigation is complete and the charge-sheet has been filed.

2. Taking overall view of the matter, the Applicant deserves to be enlarged on bail, but on strict conditions in the following terms.

(i) The Applicant is released on bail in connection with Cr.No.159 of 2004 registered with Foujdar Chavadi Police Station, Solapur on executing personal bond in the sum of Rs.25,000/- with two local sureties in the like amount.

(ii) The Applicant shall not enter the jurisdiction of city of Solapur, except for attending the court matters. This condition is essential for having regard to the prosecution case that there is long standing enmity between two groups.

(iii) The Applicant shall inform the place of his residence to the Investigating Officer as well as the trial court within one week from the date of release.

(iv) The Applicant shall report to the nearest police station once in every fortnight, on Saturday, between 10a.m. to 1 p.m., during the pendency of trial.

(v) The Applicant shall extend full co.operation for early disposal of the trial. If the trial court is of the opinion that the Applicant is responsible for delay of the trial, that fact be recorded in the roznama, and this fact can be ground for cancellation of bail of the Applicant.

(vi) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

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